

February 27, 2006
Seven o'clock P.M.
North Little Rock City Hall Council Chambers
300 Main Street
North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council scheduled for Monday, February 27, 2006, was called to order at 7:00 p.m. by the honorable Mayor PATRICK HENRY HAYS. The roll having been called, and the following Aldermen answered to their names: MARTIN GIPSON, NEIL BRYANT, LINDA ROBINSON, OLEN THOMAS, GARY BERRY, JOHN PARKER, CHARLIE HIGHT and MURRY WITCHER, a quorum was declared (8/0). City Clerk Diane Whitbey and City Attorney Paul Suskie were also present.

The invocation was given by Alderman Witcher, followed by the pledge of allegiance to the flag which was led by Alderman Hight .

On the motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, the minutes from a regular council meeting held on February 13, 2006, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the blanket motion of Alderman Witcher and seconded by Alderman Bryant, and by consent of all members present, communications # 3, and 4 were accepted and filed (8/0).

3. Mayor Hays letter to Dan Flowers, Director of Arkansas Highway and Transportation Department re: Rixey Bayou Wetland Mitigation Area.
4. Dan Flowers, Director of Arkansas Highway and Transportation Department letter to Mayor Hays re: Highway 365 (Broadway) from Broadway Bridge to Pike Avenue.

On the motion of Alderman Bryant and seconded by Alderman Berry, and by consent of all members present, communication #2 was read by title only, accepted and filed (8/0).

2. Chief Joe McCall, North Little Rock Fire Department letter to Mayor Hays and City Council re: Agility Test Procedure Guide.

Alderwoman Robinson asked if this would effect long-term employees. Chief McCall advised employees would be tested and given the opportunity to retest. If the employee continued to fail the agility test, they would have the option of applying for a staff position (if vacant). Mayor Hays said a public hearing would be scheduled if necessary. Captain Ray Vance expressed concerns he and union members had regarding age and retraining.

Mayor Hays asked the council to reschedule the next regular council meeting scheduled for Monday, March 13, 2006, to Thursday, March 16, 2006, due to several members of the council being out of town attending the National League of Cities meeting in Washington, DC. There being no objection, the meeting was rescheduled.

Mayor Hays announced Mr. Eddie Powell and members of the Senior Citizens Task Force will present a presentation at the March 16, 2006 meeting.

Mayor Hays advised *The Times* would be photographing members of the council during the meeting.

Mayor Hays is considering different microphones for the council chambers which would be less visible on camera and improve audio. All microphones would have to be changed.

Mayor Hays was contacted by Election Commissioner Kent Walker regarding a poling site in Sherwood where residents on Wewoka (in North Little Rock) have to vote. Mayor Hays asked people interested in their poling place being relocated to a precinct in North Little Rock to call the City Clerk's Office.

Mayor Hays convened a public hearing regarding R-06-23 and O-06-15, ambulance service. Mr. James Ard has concerns with MEMS. His mother had been transported several times recently and MEMS had not provided him with copies of what Medicare was billed. He reiterated concerns regarding employees writing on their gloves and driving practices and discussed an incident he was involved in. There being no one else wishing to be heard, the public hearing was adjourned.

Mayor Hays called R-06-23 and O-06-15

R-06-23 (RESOLUTION NO. 6895 - MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A FIVE-YEAR EXTENSION OF THE INTERLOCAL AGREEMENT BETWEEN THE CITIES OF NORTH LITTLE ROCK AND LITTLE ROCK, ARKANSAS TO ALLOW METROPOLITAN EMERGENCY MEDICAL SERVICES AND NON-EMERGENCY ROUTINE TRANSPORTS IN NORTH LITTLE ROCK PURSUANT TO AN EXCLUSIVE FRANCHISE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Gipson. A public hearing was held this date. Mayor Hays acknowledged Mr. Ard's concerns. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

O-06-15 (ORDINANCE NO. 7788 - MAYOR HAYS)

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 7001, CODIFIED AS NORTH LITTLE ROCK MUNICIPAL CODE § 38-56, 38-63 (2) AND 38-63 (4), REGULATING AMBULANCE SERVICES, TO PROVIDED FOR BASIC LIFE SUPPORT (BLS) AMBULANCE TRANSFERS NECESSITATED BY CHANGES IN MEDICARE REIMBURSEMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times on February 13, 2006. A public hearing was held this date. The ordinance was read a third and final time. On the motion of Alderman Witcher and seconded by Alderman Bryant, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

Mayor Hays advised public hearings would be convened on all of proposed annexations and items would be addressed as called (without objection from council members).

Mayor Hays reconvened a public hearing regarding O-06-10, establishing the Camp Robinson Road Sign Overlay District and amending Ordinance No. 7697 (the Zoning Ordinance) at 7:28 p.m. Alderman Witcher discussed the need for a sign overlay district. Mr. Matthew Richard questioned the basis of the proposed ordinance and asked where the people were who requested it and said every business should have a say in it. Mr. Ard supports the proposal. Mayor Hays recessed the public hearing until March 16, 2006, at 7:05 p.m.

Mayor Hays convened a public hearing regarding O-06-19, amending the Master Street Plan Ordinance (No. 7178) to allow a Collector Road between Pike Avenue and a round-about at the intersection of Pike Avenue, Riverfront Drive and West Broadway at 7:33 p.m. Mr. Jack Finnegan with the Baring Cross Neighborhood Association spoke regarding O-06-19 and O-06-20 and advised the association members are not opposed to the legislation, but do have concerns regarding Nannette. Alderman Hight asked about the bike trail in the area.

O-06-19 (ORDINANCE NO. 7789 - MAYOR HAYS)

AN ORDINANCE AMENDING THE MASTER STREET PLAN ORDINANCE (NO. 7178) TO ALLOW A COLLECTOR ROAD BETWEEN PIKE AVENUE AND PAUL DUKE DRIVE AND A ROUND-ABOUT LOCATED AT THE INTERSECTION OF PIKE AVENUE, RIVERFRONT DRIVE AND WEST BROADWAY STREET; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times February 13, 2006. A public hearing was held this date. The ordinance was read a third and final time. On the motion of Alderman Witcher and seconded by Alderman Gipson, and the roll having been called and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

Mayor Hays convened a public hearing at 7:43 p.m. regarding O-06-20, suspending the issuance of building permits for persons planning construction in the proposed zone North and South of River Road and West of Pike Avenue for a period not to exceed 180 days. Mayors Hays stated Mr. Finnegan's previous comments. Mr. Joseph Colverach, Executive Officer Home Builders Association of Greater Little Rock advised the group supports this legislation.

O-06-20 (ORDINANCE NO. 7790 - MAYOR HAYS)

AN ORDINANCE SUSPENDING THE ISSUANCE OF BUILDING PERMITS BY AGENTS OF THE CITY TO PERSONS PLANNING CONSTRUCTION IN THE PROPOSED ZONE NORTH AND SOUTH OF RIVER ROAD AND WEST OF PIKE AVENUE FOR A PERIOD NOT TO EXCEED 180 DAYS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times on February 13, 2006. The ordinance was read a third and final time. On the motion of Alderman Gipson and seconded by Alderwoman Robinson, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

Mayor Hays convened a public hearing regarding O-06-23, regarding proposed Sign District for John F. Kennedy Boulevard at 7:45 p.m. Mr. Richard said he had the same problem as with the proposed Camp Robinson Sign Overlay District. Mr. Ard advised he supports this legislation. There being no one else wishing to be heard, the public hearing was recessed until March 16, 2006, at 7:05 p.m.

UNFINISHED BUSINESS

R-06-17 (RESOLUTION NO. 6905 - MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LEASE AGREEMENT WITH AERIAL PATROL, INC.; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Berry and seconded by Alderman Hight. On the motion of Alderman Berry and seconded by Alderman Bryant, the resolution was amended as follows:: *substitute Exhibit A provided this date* (8/0). The legislation was then held until the end of the meeting at the request of the sponsor, Mayor Hays. Mayor Hays recalled the resolution. A motion to adopt was made by Alderman Berry and seconded by Alderman Hight. On the motion of Alderman Witcher, and seconded by Alderman Berry, and by consent of all members present, the resolution was amended as follows:: *attach map filed with legislation to amended lease agreement* (8/0). On the motion of Alderman Hight and seconded by Alderman Berry, and by consent of all members present, the resolution was amended as follows:: *revised lease agreement, change date in item 15. from 90 days to 30 DAYS* (8/0). Alderman Gipson said he was concerned about parking in the area and noise created by the helicopter. Mayor Hays said he had flown in a helicopter similar to the one to be used and it is not as noisy as some. Mr. Joe Smith, Director of Commerce and Governmental Affairs said the operation would be mostly on weekends and during special events such as Riverfest. On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, with the exception of Alderman Gipson who voted no, the resolution was adopted (7/1).

O-05-98 (ORDINANCE NO. 7791 - MAYOR HAYS)

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED SOUTH OF HIGHWAY 165 IN SPANISH LAND GRANT #2417 TO BE TITLED "SPANISH LAND GRANT COMMERCIAL DISTRICT POCKET ANNEXATION" TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE "SPANISH LAND GRANT COMMERCIAL DISTRICT POCKET ANNEXATION" A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time on December 12, 2005, was read a second time on December 22, 2005. A public hearing was held January 9, 2006, and reconvened January 23, 2006, and adjourned. The ordinance was read a third and final time. Mayor Hays reconvened the public hearing at 7:50 p.m. There being no one wishing to be heard, the public hearing was adjourned. On the motion of Alderman Hight and seconded by Alderman Gipson, and the roll having been called and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-05-101

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED EAST OF CRYSTAL HILL ROAD AND NORTH OF NORTH SHORE BUSINESS PARK TO BE TITLED "YOUNG ROAD POCKET ANNEXATION" TO THE CITY OF

NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE “YOUNG ROAD POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time on December 12, 2005, was read a second time on December 22, 2005. A public hearing was held January 9, 2006, and reconvened January 23, 2006, and adjourned. The ordinance was read a third and final time. Mayor Hays reconvened a public hearing at 7:51 p.m. Mr. Sam Hilburn still objects to his farm land being annexed and advised three other property owners in the area do not want to be annexed. A motion to adopt was made by Alderman Gipson and died for lack of a second, the item was removed from the agenda.

O-05-102 (ORDINANCE NO. 7792 - MAYOR HAYS)

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED SOUTH OF HIGHWAY 165 AND NORTH OF WILLOW BEACH ROAD TO BE TITLED “BROWN FULKERSON POCKET ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE “BROWN FULKERSON POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time on December 12, 2005, was read a second time on December 22, 2005. A public hearing was held January 9, 2006, and reconvened January 23, 2006, and adjourned. The ordinance was read a third and final time. Mayor Hays reconvened a public hearing. Mr. George Alexander Brown asked the council to postpone the vote two weeks and reiterated his previous comments regarding the same. There being no one else wishing to be heard, the public hearing was adjourned. On the motion of Alderman Gipson and seconded by Alderman Bryant, and the roll having been called, and all members present having voted in the affirmative, with the exception of Alderwoman Robinson who voted no, the ordinance was adopted (7/1). On the emergency clause, all members present voted in the affirmative, with the exception of Alderwoman Robinson and Alderman Berry, who voted no (6/2), the emergency clause was adopted.

O-06-06 (ORDINANCE NO. 7793 - MAYOR HAYS)

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED SOUTH OF CRYSTAL HILL ROAD AND WEST OF WHITE OAK DRIVE TO BE TITLED “CRYSTAL POCKET ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE “CRYSTAL POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times January 23, 2006. A public hearing was held on February 13, 2006, and recessed. The ordinance was read a third and final time. Mayor Hays reconvened a public hearing. There being no one wishing to be heard, the public hearing was adjourned. On the motion of Alderman Hight and seconded by Alderman Parker, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-06-07

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED EAST OF I-440, SOUTH OF FAULKNER LAKE ROAD, WEST OF HIGHWAY 391 AND NORTH OF HIGHWAY 165 TO BE TITLED “FAULKNER LAKE AREA #3 POCKET ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE “FAULKNER LAKE AREA #3 POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times January 23, 2006. A public hearing was held on February 13, 2006, and recessed. The ordinance was read a third and final time. Alderwoman Robinson asked about the roadway (Faulkner Lake Road) in the area and it’s upkeep. Mayor Hays reconvened a public hearing. There being no one wishing to be heard, the public hearing was adjourned. No motions were made, therefore, the item died and was withdrawn by the sponsor, Mayor Hays.

O-06-08

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED EAST OF I-440, NORTH OF FAULKNER LAKE ROAD, WEST OF HIGHWAY 391 AND SOUTH OF I-40 TO BE TITLED “FAULKNER LAKE AREA #2 POCKET ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE “FAULKNER LAKE AREA #2 POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times January 23, 2006. A public hearing was held on February 13, 2006, and recessed until this date. The ordinance was read a third and final time. Mayor Hays reconvened a public hearing. Mr. John Mosley owns property in the area which is used for hunting and fishing. When he purchased the land he checked with planning to see if there were any plans to annex it, at which time he was advised there were not. He does not want to be annexed as the land value to him would decrease if he could only use it for fishing. There being no one else wishing to be heard, the public hearing was adjourned. No motions were made. The legislation was then withdrawn by the sponsor, Mayor Hays.

O-06-09

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED WEST OF I-440 AND SOUTH OF HIGHWAY 70 AND NORTH OF FAULKNER LAKE ROAD TO BE TITLED “FAULKNER LAKE AREA #1 POCKET ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE “FAULKNER LAKE AREA #1 POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times January 23, 2006. A public hearing was held February 13, 2006, and recessed. The ordinance was read a third and final time. Mayor Hays reconvened the public hearing. There being no one wishing to be heard, the public hearing was adjourned. No motions were made. The legislation was then withdrawn by the sponsor, Mayor Hays. Communication #1 was called with the proposed ordinance. On the motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, communication #1 was accepted and filed (8/0).

1. B. Jayne Mann, letter to City Council members and Mayor Hays, and Mr. Voyles re: annexation public comments - Faulkner Lake Area #1, family property “Snyder Farm” on Highway 70 (105 acres of wetland/flood plain and 5.2 acres parallel to highway) swampland not open to hunting.

O-06-10

AN ORDINANCE ESTABLISHING THE CAMP ROBINSON ROAD SIGN OVERLAY DISTRICT AND AMENDING ORDINANCE NO. 7697, THE NORTH LITTLE ROCK ZONING ORDINANCE; DECLARING AN EMERGENCY; AND

FOR OTHER PURPOSES, was read one time January 23, 2006. A public hearing was held February 13, 2006, and recessed. (See public hearings). The legislation was called and held at the request of the sponsor, Alderman Witcher.

O-06-15 (see public hearings).

O-06-16 (ORDINANCE NO. 7794 - ALDERMAN PARKER)

AN ORDINANCE REPEALING ORDINANCE NO. 7627 WHICH ALLOWED A SPECIAL USE FOR A DAY CARE AT CERTAIN REAL PROPERTY LOCATED AT 1500 W. PERSHING IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times on February 13, 2006, was read a third and final time (applicant was: Cynthia Foote). Mr. Russ Elrod, Code Enforcement Officer inspected the property at 10:30 a.m. this date and some of the conditions had been met. Items 1 - 4 had not. A motion to adopt was made by Alderman Parker and seconded by Alderman Witcher. Mrs. Foote advised items 1 - 4 had been met and that the only thing not completed was the landscaping. A hearing at the Department of Human Services will be held March 21, 2006. Regarding the kitchen, she has requested a letter from Kroger stating they prepared the food she serves. No food is prepared on site. Reverend Roosevelt Foote said the property had been auctioned and the new owner did not want anything done to the building. Everything had been taken care of with the exception of the landscaping. Mayor Hays asked Chief Bradley to come forward and report his findings regarding the number of officers arriving at the property to assist Code Enforcement. The day the search warrant was served there was one police officer. The day before, when the Code Officer requested assistance, two units responded containing a patrol officer and a training officer in each (total 4). Alderman Parker said the day care was not in compliance with Ordinance 7627 or state regulations. On the previous motion of Alderman Parker and seconded by Alderman Witcher, and the roll having been called, all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

NEW BUSINESS

R-06-24 (RESOLUTION NO. 6896 - MAYOR HAYS)

A RESOLUTION REAPPOINTING MARGARET TENNER TO THE NORTH LITTLE ROCK HISTORIC DISTRICT COMMISSION, was read. On the motion of Alderman Gipson and seconded by Alderman Parker, and by consent of all members present the resolution was unanimously adopted (8/0).

R-06-25 (RESOLUTION NO. 6897 - MAYOR HAYS)

A RESOLUTION REAPPOINTING GEORGE MOBBS TO THE NORTH LITTLE ROCK HISTORIC DISTRICT COMMISSION; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gipson and seconded by Alderman Hight, and by consent of all members present the resolution was unanimously adopted (8/0).

R-06-26

A RESOLUTION APPOINTING MARY JO HETHERWICK TO THE NORTH LITTLE ROCK HISTORIC DISTRICT COMMISSION; AND FOR OTHER PURPOSES, was called and held at the request of the sponsor, Mayor Hays, due to lack of a personal information sheet.

R-06-27 (RESOLUTION NO. 6898 - MAYOR HAYS)

A RESOLUTION APPOINTING KEN DAVENPORT TO THE NORTH LITTLE ROCK HISTORIC DISTRICT COMMISSION; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Berry and seconded by Alderman Hight. On the motion of Alderman Hight and seconded by Alderman Berry, and by consent of all members present, the resolution was amended as follows:: *attach Personal Information Sheet* (8/0). On the motion of Alderman Hight and seconded by Alderman Berry, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

R-06-28 (RESOLUTION NO. 6899 - MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 210 W. 14TH STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES, PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE, AND FOR OTHER PURPOSES, was read (owner: Bruce Tate). Mayor Hays convened a public hearing. There being no one present wishing to be heard, he adjourned the public hearing. On the motion of Alderman Gipson and seconded by Alderman Bryant, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-06-29

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 118 E. 19TH STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES, PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE, AND FOR OTHER PURPOSES, was read (owner: Daryl Talley). Code Enforcement advised there was an issue regarding the identity of the property owner. The legislation was then withdrawn by the sponsor, Mayor Hays.

R-06-30 (RESOLUTION NO. 6900 - MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5216 S. WOODLAND IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES, PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE, AND FOR OTHER PURPOSES, was read (owner: Mildred Smalley Talton). Mayor Hays convened a public hearing. There being no one present wishing to be heard, he adjourned the public hearing. On the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).

Mayor Hays asked Ms. Mary Beth Bowman, Director of Community Development to come forward and explain the remaining resolutions amending the plans as titled in the following resolutions.

R-06-31 (RESOLUTION NO. 6901 - MAYOR HAYS, ALDERMEN WITCHER AND HIGHT)

A RESOLUTION AMENDING THE CITY OF NORTH LITTLE ROCK'S FIVE YEAR CONSOLIDATED PLAN (2005-2009) AND 2005 ANNUAL ACTION PLAN TO ALLOCATE \$78,266.87 REMAINING IN WOOD STREET DRAINAGE AND STREET IMPROVEMENT PROJECT TO THE 2004 MARTIN STREET AND DRAINAGE IMPROVEMENT PROJECT, was read. Mayor Hays added Aldermen Witcher and Hight as sponsors. On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-06-32 (RESOLUTION NO. 6902 - MAYOR HAYS)

A RESOLUTION AMENDING THE 2004 ANNUAL ACTION PLAN'S HOUSING REHABILITATION PROJECT TO INCLUDE THE INSTALLATION OF HANDICAP RAMPS FOR RENTAL PROPERTIES AND ELIMINATING THE HOUSING ASSISTANT GRANT OF UP TO \$10,000.00; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Berry and seconded by Alderman Witcher, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-06-33 (RESOLUTION NO. 6903 - MAYOR HAYS)

A RESOLUTION AMENDING THE FIVE YEAR CONSOLIDATED PLAN (2005-2009) AND 2005 ANNUAL ACTION PLAN TO INCLUDE HANDICAP RAMPS ON RENTAL PROPERTIES, AND TO ELIMINATE THE HOUSING ASSISTANCE GRANT OF UP TO \$10,000.00; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Berry and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-06-34 (RESOLUTION NO. 6904 - MAYOR HAYS)

A RESOLUTION AMENDING THE FIVE YEAR CONSOLIDATED PLAN (2005-2009) AND 2005 ANNUAL ACTION PLAN'S NORTH LITTLE ROCK BOYS AND GIRLS CLUB HAMILTON PROJECT FROM \$25,000.00 TO \$10,000.00 AND ALLOCATE REMAINING \$15,000.00 TO THE NORTH LITTLE ROCK BOYS AND GIRLS CLUB ROSE CITY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).

Mayor Hays discussed future federal cuts in Community Development Funding.

O-06-21 (ORDINANCE NO. 7799 - MAYOR HAYS) *(Note, number out of sequence due to duplication)**

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AGREEMENT WITH TWENTY FIRST CENTURY COMMUNICATIONS, INC. FOR EMERGENCY OVERFLOW ANSWERING SERVICES, WAIVING BIDS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gipson and seconded by Alderman Berry, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Berry and seconded by Alderman Bryant, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The ordinance was read a third and final time. Mayor Hays asked Mr. Joe Gertsch, Director of North Little Rock Electric Department to come forward. Mr. Gertsch advised during an outage, the emergency answering service would assist with handling calls to the department. A list of addresses along with circuits has been compiled making it easier to see which customers are effected during an outage. On the motion of Alderman Gipson and seconded by Alderman Berry, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-06-22 (ORDINANCE NO. 7795 - MAYOR HAYS)

AN ORDINANCE CHANGING THE NAME OF TINSMAN COURT TO VALLEY CREEK POINTE IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Berry and seconded by Alderman Hight, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The roll having been called, and all members present, having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

Mayor Hays recalled R-06-17 (see above).

O-06-23

AN ORDINANCE ESTABLISHING THE JFK BOULEVARD SIGN OVERLAY DISTRICT AND AMENDING ORDINANCE NO. 7697; THE NORTH LITTLE ROCK ZONING ORDINANCE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held at the request of sponsor, Alderman Witcher. A public hearing was held this date and recessed until Thursday, March 16, 2006, at 7:05 p.m.

O-06-24 (ORDINANCE NO. 7796 - ALDERMAN THOMAS)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A TIRE SHOP WITH OUTDOOR DISPLAY IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 4017 EAST BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read (applicant: Rocky Yelenich). On the motion of Alderman Thomas and seconded by Alderwoman Robinson, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Thomas and seconded by Alderwoman Robinson, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-06-25 (ORDINANCE NO. 7797 - ALDERMAN THOMAS)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A BANK WITH A DRIVE-THRU IN A C-6 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 314 N. CYPRESS IN THE CITY OF NORTH LITTLE ROCK,

ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read (applicant: Thomas Graham). On the motion of Alderman Thomas and seconded by Alderwoman Robinson, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Thomas and seconded by Alderwoman Robinson, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). On the motion of Alderman Thomas and seconded by Alderwoman Robinson, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

PUBLIC COMMENTS-----

Mayor Hays advised a Special Call will be held tomorrow, Tuesday, February 28, 2006, at 7:05 p.m. Two items will be on the agenda, one regarding the Bay Meadows Addition and the Grand Prairie Regional Water District, the other authorizing a Unit Power Purchase Agreement between the City and the Missouri Joint Municipal Electric Utility Commission. Alderman Parker asked Mayor Hays about dirt being removed from the Ball Park site. Mayor Hays said the hauler found someone close to receive dirt and provided that individual with “free” dirt. The hauler can do what he wants with the remainder of the dirt, including sell it. Alderman Parker asked about the old Memorial Hospital site. Mr. Joe Smith said several developers and others are looking at the site, including the Union Rescue Mission and a developer from Florida. Alderman Gipson said there are probably a lot of Special Use cases where the business is no longer in business and not in compliance. Mayor Hays asked Mr. Voyles, Mr. Tom Wadley, Code Enforcement Director and the City Attorney to visit regarding ways to handle the situation. Alderwoman Robinson suggested assessing a penalty if the case has passed through Planning but the conditions are not met by the time the case reaches the council. Ms. Whitbey suggested the Planning Department not issue a zoning permit until after conditions are confirmed. Chief Bradley announced the annual Police and Fire Awards, Friday, March 10, 2006 at 3:00 p.m. at the Hays Center. Everyone was invited. Mr. Ard asked anyone who is opposed to alcohol being served in the parks to attend a meeting scheduled for March 20, 2006, at 5:00 p.m. Mr. Ard apologized if he offended one of the aldermen’s family member. Mr. Ard volunteers his services and said he has been criticized for not charging the city for work he does.

There being no further business to come before the Council, and on the motion of Alderwoman Robinson and seconded by Alderman Hight, and by consent of all members present, the meeting adjourned at 9:40 p.m. (8/0), until a Special Call scheduled for 7:05 p.m., Tuesday, February 28, 2006, and until the next regular meeting to be held on Thursday, March 16, 2006, at seven o’clock p.m. in the City Council Chamber in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: MAYOR PATRICK HENRY HAYS
ATTEST: DIANE WHITBEY, CITY CLERK